

Department of Permits Approvals and Inspections
111 West Chesapeake Avenue
Towson, Maryland 21204
Baltimore County, Maryland

In the Matter of

Civil Citation No. 88876

Felita S. Ellerbe

7017 Yataruba Drive

Respondent

FINDINGS OF FACT AND CONCLUSIONS OF LAW
FINAL ORDER OF THE ADMINISTRATIVE LAW JUDGE

This matter came before the Administrative Law Judge on March 16, 2011 for a Hearing on a citation for violations under the Baltimore County Code (BCC) section 13-7-310, 312, failure to remove all junk and debris; Baltimore County Zoning Regulations (BCZR) section 101, 102.1, 1B01.1, 428, failure to tag or remove untagged vehicles on residential property.

On February 23, 2011, pursuant to § 3-6-205, Baltimore County Code, Inspector Adam Whitlock issued a Code Enforcement & Inspections Citation. The citation was sent to the Respondent by 1st class mail to the last known address listed in the Maryland State Tax Assessment files.

The citation proposed a civil penalty of \$2,000.00 (two thousand dollars).

The following persons appeared for the Hearing and testified: Felita Ellerbe, Respondent and, Adam Whitlock, Baltimore County Code Enforcement Officer.

Testimony revealed that during a sweep of the area on 2/2/11, an untagged motor vehicle, with expired sticker was found on the Respondent's property. A correction notice was issued. A re-inspection took place on 2/23/11, the untagged vehicle was still there and a citation was issued, mailed and posted. The Respondent testified that he had obtained the car in Philadelphia, was trying to title and tag it here in Maryland and was awaiting a replacement title from Pennsylvania to be sent to him.

Having heard the testimony and evidence presented at the hearing:

IT IS ORDERED by the Administrative Law Judge that a civil penalty be imposed in the amount of \$500.00 (five hundred dollars).

IT IS FURTHER ORDERED that \$450.00 of the \$500.00 civil penalty be suspended, with an immediate \$50.00 fine imposed at this time.

IT IS FURTHER ORDERED that the remaining \$450.00 will be imposed if the property is not brought into immediate compliance.

IT IS FURTHER ORDERED that the remaining \$450.00 will be imposed if there is a subsequent finding against the Respondent for the same violation.

IT IS FURTHER ORDERED that if not paid within thirty days of billing, the civil penalty AND any expenses incurred by Baltimore County, as authorized above, shall be imposed and placed as a lien upon the property.

IT IS FURTHER ORDERED that the County inspect the property to determine whether the violations have been corrected.

ORDERED this 25th day of March 2011

Signed: Original Signed 3/25/11
Lawrence M. Stahl
Administrative Law Judge

NOTICE TO RESPONDENT: The Respondent is advised that pursuant to §3-6-301(a) of the Baltimore County Code, the Respondent may appeal this order to the Baltimore County Board of Appeals within fifteen (15) days from the date of this order; any such appeal requires the filing of a petition setting forth the grounds for appeal, payment of a filing fee of \$150 and the posting of security to satisfy the penalty assessed.